

**U.S. Department of Justice**

*United States Attorney
Southern District of New York*

*86 Chambers Street
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January 15, 2025

Via ECF

Honorable Dale E. Ho
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *Knight First Amendment Institute at Columbia Univ. v. U.S. Dep't of State et al.*,
22 Civ. 3003 (DEH)

Dear Judge Ho:

This Office represents defendants the U.S. Department of State ("State"), the U.S. Department of Homeland Security ("DHS"), and the Office of the Director of National Intelligence ("ODNI," and collectively with State and DHS, "Defendants" or the "Agencies") in the above-referenced case brought by plaintiff Knight First Amendment Institute at Columbia University ("Plaintiff") pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552.

I write respectfully on behalf of the parties to provide a joint status update pursuant to the Court's order dated November 1, 2024, Dkt. No. 57.

As noted in the parties' last joint status report, Dkt. No. 56, the parties continue to engage in discussions to attempt to potentially narrow or resolve disputed issues. Plaintiff requested additional information from the Agencies concerning certain withholdings from the records produced in response to Plaintiff's FOIA request. ODNI and DHS have responded to Plaintiff's questions. On December 30, State also provided responses, which Plaintiff is reviewing to determine whether it has further follow-up requests.

As also anticipated in the last status report, DHS has referred Plaintiff's FOIA request to the following DHS components: U.S. Immigration and Customs Enforcement ("ICE"), the Transportation Security Administration ("TSA"), U.S. Customs and Border Protection ("CBP"), and U.S. Citizenship and Immigration Services ("USCIS"). The status of those referrals is as follows:

- **ICE:** ICE has completed its search and located approximately 1,250 pages of potentially responsive records. ICE intends to review at least 500 pages per month, with a first interim response anticipated by February 10, 2025, and expects to be able to complete its processing and production of responsive, nonexempt records by April 10, 2025, subject to the need for external consultations or referrals to other agencies or components.

- **TSA:** TSA has completed its search and located under 100 pages of potentially responsive records. TSA intends to complete its processing and production of responsive, nonexempt records by February 14, 2025, subject to the need for external consultations or referrals to other agencies or components.
- **CBP:** CBP has completed its search and located approximately 1,000 pages of potentially responsive records. CBP intends to complete its processing and production of responsive, nonexempt records by March 31, 2025, subject to the need for external consultations or referrals to other agencies or components.
- **USCIS:** USCIS has run its initial search queries, which returned several gigabytes of data. USCIS is working to narrow the search results to exclude nonresponsive records and duplicate information, and expects to make significant progress in this respect by the end of January. Once this process is complete the government will, if necessary, confer with Plaintiff regarding further ways to focus the search results so that the processing of records will not be unduly lengthy or burdensome. Once the set of potentially responsive records to review has been reduced to a reasonable number, the government will confer with Plaintiff regarding a processing schedule. By the time of the next status report, if the parties agree on a schedule, they will jointly propose that schedule; if they are unable to agree, they will put forward their respective proposals to the Court.

The parties respectfully propose to provide another status update by March 14, 2025. If the parties reach an impasse regarding a production schedule or other issues, they will advise the Court of their respective positions and seek a determination from the Court.

We thank the Court for its consideration of this matter.

Respectfully submitted,

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cc: Counsel of record (via ECF)